

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JASON SCOTT HOUNIHAN,

Plaintiff,

v.

JOSE C. VILLASENOR,

Defendant.

Case No. 1:23-cv-00163-KES-EPG (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS TO (1) DENY  
PLAINTIFF'S MOTION FOR SUMMARY  
JUDGMENT; (2) GRANT DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT;  
(3) DENY DEFENDANT'S REQUEST FOR  
JUDICIAL NOTICE; (4) OVERRULE  
PLAINTIFF'S OBJECTIONS TO  
DEFENDANT'S DECLARATION; AND (5)  
UNSEAL EXHIBITS

(Docs. 52, 64, 68, 68-4, 75-1, 83)

Plaintiff Jason Scott Hounihan is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed under 42 U.S.C. § 1983. This matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 15, 2024, the assigned magistrate judge issued findings and recommendations, recommending that: (1) plaintiff's motion for summary judgment (Doc. 52) be denied; (2) defendant's motion for summary judgment (Doc. 68) be granted; (3) defendant's request for judicial notice (Doc. 68-4) be denied; (4) plaintiff's objections to defendant's declaration (Doc. 64) be overruled; and (5) the sealed exhibits (Doc. 75-1) be unsealed. Doc. 83. Any objections to the findings and recommendations were due within 30 days of the date of service of the findings and recommendations. Doc. 83. No objections were filed and the time to do so has expired.

1 In accordance with 28 U.S.C. § 636(b)(1), the court has conducted a de novo review of  
2 this case. Having carefully reviewed the file, the court concludes the findings and  
3 recommendations (Doc. 83) are supported by the record and proper analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The findings and recommendations issued July 15, 2024 (Doc. 83) are ADOPTED IN  
6 FULL.
- 7 2. Plaintiff's motion for summary judgment (Doc. 52) is DENIED.
- 8 3. Defendant's motion for summary judgment (Doc. 68) is GRANTED.
- 9 4. Defendant's request for judicial notice (Doc. 68-4) is DENIED.
- 10 5. Plaintiff's objections to defendant's declaration (Doc. 64) are OVERRULED.
- 11 6. The Clerk of Court is directed to UNSEAL the sealed exhibits at Doc. 75-1.
- 12 7. The Clerk of Court is directed to issue judgment in favor of defendant and CLOSE  
13 this case.

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16 IT IS SO ORDERED.

17 Dated: January 5, 2025

  
UNITED STATES DISTRICT JUDGE